

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
JOHN PITCHER and CAROLYN PITCHER,

Plaintiffs,

-against-

**UNION CARBIDE CORPORATION;
AIR & LIQUID SYSTEMS CORPORATION,** sued
as successor-by-merger to BUFFALO PUMPS, INC.;
ALFA LAVAL, INC., sued individually and as
successor-in-interest to THE DELAVAL
SEPARATOR COMPANY;
ARMSTRONG INTERNATIONAL, INC.;
BARRETT'S MINERALS INC.;
BEACON CMP CORPORATION;
BLOCK DRUG COMPANY, INC., sued
individually and as successor-in-interest to THE
GOLD BOND STERILIZING POWDER COMPANY
a/k/a THE GOLD BOND COMPANY;
BRENNTAG NORTH AMERICA, INC., sued
individually and as successor-in-interest to MINERAL
PIGMENT SOLUTIONS, INC. and as successor-in-
interest to WHITTAKER CLARK & DANIELS,
INC.;
BRENNTAG SPECIALTIES LLC f/k/a
BRENNTAG SPECIALTIES, INC. f/k/a MINERAL
PIGMENT SOLUTIONS, INC., sued individually and
as successor-in-interest to WHITTAKER CLARK &
DANIELS, INC.;
COLGATE-PALMOLIVE COMPANY;
CRANE CO., successor-in-interest to CHAPMAN
VALVE COMPANY and THE SWARWTOUT
COMPANY;
DCO LLC f/k/a DANA COMPANIES LLC, sued
individually and as successor-in-interest to VICTOR
GASKET MANUFACTURING COMPANY;
DAP PRODUCTS, INC.;
EATON HYDRAULICS LLC f/k/a EATON
HYDRAULICS, INC., sued as successor to VICKERS
INC.;
EDELBROCK CORPORATION;
ELLIOTT COMPANY f/k/a and d/b/a ELLIOTT
TURBOMACHINERY COMPANY;

Index No.

Date of Filing: August 5, 2022

SUMMONS

Plaintiffs designate
NEW YORK COUNTY
as the Place of Trial

Plaintiffs reside at:
300 Burning Tree Drive
Georgetown, TX 78628

ESTEE LAUDER, INC., a subsidiary of THE
ESTEE LAUDER COMPANIES, INC.;
FLOWERVE US, INC., sued as successor to
EDWARD VALVE, INC.;
FMC CORPORATION, sued individually and as
successor-in-interest to CHICAGO PUMP
COMPANY;
FORD MOTOR COMPANY;
FOSTER WHEELER ENERGY
CORPORATION;
GARDNER DENVER, INC.;
GENERAL ELECTRIC COMPANY;
GG OF FLORIDA, INC. f/k/a HIGBEE, INC. f/k/a
HIGBEE GASKETS AND SEALING PRODUCTS,
INC.;
GOULDS PUMPS LLC f/k/a GOULDS PUMPS,
INCORPORATED;
HOLLEY PERFORMANCE PRODUCTS, INC.;
HOLLINGSWORTH & VOSE COMPANY;
HONEYWELL INTERNATIONAL, INC. f/k/a
ALLIED-SIGNAL, INC., sued as successor-in-interest
to BENDIX CORPORATION;
IMO INDUSTRIES, INC., sued individually and as
successor-in-interest to DELAVAL TURBINE, INC.;
JOHN CRANE, INC.;
MW CUSTOM PAPERS, LLC as successor-in-
interest to THE MEAD CORPORATION;
MORSE TEC LLC f/k/a BORGWARNER MORSE
TEC LLC, sued as successor-by-merger to BORG
WARNER CORPORATION;
PARAMOUNT GLOBAL f/k/a VIACOMCBS INC.
f/k/a CBS CORPORATION f/k/a VIACOM, INC.
successor-by-merger to CBS CORPORATION f/k/a
WESTINGHOUSE ELECTRIC CORPORATION;
PFIZER INC.;
REDCO CORPORATION f/k/a CRANE CO.;
ROBERTSHAW CONTROLS COMPANY d/b/a
FULTON SYLPHON VALVES;
R. T. VANDERBILT HOLDING COMPANY,
INC., sued individually and as successor-in-interest to
R. T. VANDERBILT COMPANY, INC.;
SPECIALTY MINERALS INC., sued individually
and as a subsidiary of MINERALS TECHNOLOGIES
INC.;
SUPERIOR-LIDGERWOOD-MUNDY
CORPORATION, sued individually and as

successor-in-interest to M.T. DAVIDSON
COMPANY;
VELAN VALVE CORP. a/k/a VELAN VALVE
CORPORATION;
VIAD CORP f/k/a VIAD CORPORATION f/k/a
THE DIAL CORPORATION, sued individually and
as successor-in-interest to GRISCOM-RUSSELL
COMPANY;
WARREN PUMPS, LLC;
WEIR VALVES & CONTROLS USA, INC. f/k/a
ATWOOD & MORRILL;
WHITTAKER CLARK & DANIELS, INC.;
ZURN INDUSTRIES, LLC, individually and as
successor-in-interest to ZURN INDUSTRIES, INC.
successor to ERIE CITY IRON WORKS d/b/a
KEYSTONE BOILER WORKS, INC.,

Defendants.

TO THE ABOVE-NAMED DEFENDANTS:

You are hereby summoned to answer in this action and to serve a copy of your answer, or if the complaint is not served with this summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: August 5, 2022
New York, New York

SIMON GREENSTONE PANATIER, PC
Attorneys for Plaintiffs

Brendan J. Tully
Brendan J. Tully, Esq.
420 Lexington Avenue, Suite 2848
New York, New York 10170
Telephone: (212) 634-1690
Facsimile: (212) 320-0526

TO DEFENDANTS:

UNION CARBIDE CORPORATION

Secretary of State
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001

AIR & LIQUID SYSTEMS CORPORATION, sued as successor-by-merger to BUFFALO PUMPS, INC.

Corporation Service Company
80 State Street
Albany, NY 12207

ALFA LAVAL, INC., sued individually and as successor-in-interest to THE DELAVAL SEPARATOR COMPANY; CT Corporation System, 28 Liberty Street, New York, NY 10005
ARMSTRONG INTERNATIONAL, INC.

David Dykstra
900 Maple Street
Three Rivers, MI 49093

BARRETT'S MINERALS INC.

CT Corporation System
28 Liberty Street
New York, NY 10005

BEACON CMP CORPORATION

Richard Loncar
295 N. Michigan Avenue
Kenilworth, NJ 07033

BLOCK DRUG COMPANY, INC., sued individually and as successor-in-interest to THE GOLD BOND STERILIZING POWDER COMPANY a/k/a THE GOLD BOND COMPANY Corporation Service Company

Princeton South Corporate Center, Suite 160
100 Charles Ewing Boulevard
Ewing, NJ 08628

BRENTAG NORTH AMERICA, INC., sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

BRENNTAG SPECIALTIES LLC f/k/a BRENNTAG SPECIALTIES, INC. f/k/a MINERAL PIGMENT SOLUTIONS, INC., sued individually and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.

CT Corporation System
 28 Liberty Street
 New York, NY 10005

COLGATE-PALMOLIVE COMPANY

The Corporation Trust Company
 Corporation Trust Center
 1209 Orange Street
 Wilmington, DE 19801

CRANE CO. as successor-in-interest to CHAPMAN VALVE COMPANY and THE SWARWTOUT COMPANY

The Corporation Trust Company
 Corporation Trust Center
 1209 Orange Street
 Wilmington, DE 19801

DCO LLC f/k/a DANA COMPANIES LLC, sued individually and as successor-in-interest to VICTOR GASKET MANUFACTURING COMPANY

CT Corporation System
 4701 Cox Road, Suite 285
 Glen Allen, VA 23060

DAP PRODUCTS, INC.

Corporation Service Company
 251 Little Falls Drive
 Wilmington, DE 19808

EATON HYDRAULICS LLC f/k/a EATON HYDRAULICS, INC., sued as successor to VICKERS INC.

CT Corporation System
 28 Liberty Street
 New York, NY 10005

EDELBROCK CORPORATION

Jeffrey L. Thompson
 2700 California Street
 Torrance, CA 90503

ELLIOTT COMPANY f/k/a and d/b/a ELLIOTT TURBOMACHINERY COMPANY

The Corporation Trust Company
 Corporation Trust Center
 1209 Orange Street
 Wilmington, DE 19801

ESTEE LAUDER, INC., a subsidiary of THE ESTEE LAUDER COMPANIES, INC.
Corporation Service Company
80 State Street
Albany, NY 12207

FLOWERVE US, INC., sued as successor to EDWARD VALVE, INC.
CT Corporation System
28 Liberty Street
New York, NY 10005

FMC CORPORATION, sued individually and as successor-in-interest to CHICAGO PUMP COMPANY
CT Corporation System
28 Liberty Street
New York, NY 10005

FORD MOTOR COMPANY
CT Corporation System
28 Liberty Street
New York, NY 10005

FOSTER WHEELER ENERGY CORPORATION
United Agent Group Inc.
600 Mamaroneck Avenue, Suite 400
Harrison, NY 10528

GARDNER DENVER, INC.
CT Corporation System
28 Liberty Street
New York, NY 10005

GENERAL ELECTRIC COMPANY
Vice President, Litigation
General Electric Company
901 Main Avenue
Norwalk, CT 06851

GG OF FLORIDA, INC. f/k/a HIGBEE, INC. f/k/a HIGBEE GASKETS AND SEALING PRODUCTS, INC.
1728 Lane Avenue South
Jacksonville, FL 32236

GOULDS PUMPS LLC f/k/a GOULDS PUMPS, INCORPORATED
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

HOLLEY PERFORMANCE PRODUCTS, INC.

Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

HOLLINGSWORTH & VOSE COMPANY

Deirdre M. Murphy
112 Washington Street
East Walpole, MA 02032-1008

HONEYWELL INTERNATIONAL, INC. f/k/a ALLIED-SIGNAL, INC., sued as successor-in-interest to BENDIX CORPORATION

Corporation Service Company
80 State Street
Albany, NY 12207

IMO INDUSTRIES, INC., sued individually and as successor-in-interest to DELAVAL TURBINE, INC.

CT Corporation System
28 Liberty Street
New York, NY 10005

JOHN CRANE, INC.

CT Corporation System
28 Liberty Street
New York, NY 10005

MW CUSTOM PAPERS, LLC as successor-in-interest to THE MEAD CORPORATION

Corporation Service Company
80 State Street
Albany, NY 12207

MORSE TEC LLC f/k/a BORGWARNER MORSE TEC LLC, sued as successor-by-merger to BORG WARNER CORPORATION

CT Corporation System
28 Liberty Street
New York, NY 10005

PARAMOUNT GLOBAL f/k/a VIACOMCBS INC. f/k/a CBS CORPORATION f/k/a VIACOM, INC. successor-by-merger to CBS CORPORATION f/k/a WESTINGHOUSE ELECTRIC CORPORATION)

Corporation Service Company
80 State Street
Albany, NY 12207

PFIZER INC.

CT Corporation System
28 Liberty Street
New York, NY 10005

REDCO CORPORATION f/k/a CRANE CO.

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

ROBERTSHAW CONTROLS COMPANY d/b/a FULTON SYLPHON VALVES

Registered Agent Solutions, Inc.
838 Walker Road, Suite 21-2
Dover, DE 19904

R. T. VANDERBILT HOLDING COMPANY, INC., sued individually and as successor-in-interest to R. T. VANDERBILT COMPANY, INC.

Corporation Service Company
80 State Street
Albany, NY 12207

SPECIALTY MINERALS INC., sued individually and as a subsidiary of MINERALS TECHNOLOGIES INC.

CT Corporation System
28 Liberty Street
New York, NY 10005

SUPERIOR-LIDGERWOOD-MUNDY CORPORATION, sued individually and as successor-in-interest to M.T. DAVIDSON COMPANY

Arthur Robert Woodman
302 Grand Avenue
Superior, WI 54880

VELAN VALVE CORP. a/k/a VELAN VALVE CORPORATION

Corporation Service Company
80 State Street
Albany, NY 12207

VIAD CORP f/k/a VIAD CORPORATION f/k/a THE DIAL CORPORATION, sued individually and as successor-in-interest to GRISCOM-RUSSELL COMPANY

CT Corporation System
28 Liberty Street
New York, NY 10005

WARREN PUMPS, LLC

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

WEIR VALVES & CONTROLS USA, INC. f/k/a ATWOOD & MORRILL
29 Old Right Road
Ipswich, MA 01938-1119

WHITTAKER CLARK & DANIELS, INC.
Joe Cobuzio
Tompkins, McGuire, Wacenfeld & Barry
3 Becker Farm Road, 4th Floor
Roseland, NJ 07068

ZURN INDUSTRIES, LLC, sued individually and as successor-in-interest to ZURN INDUSTRIES, INC. successor to ERIE CITY IRON WORKS d/b/a KEYSTONE BOILER WORKS, INC.
CT Corporation System
28 Liberty Street
New York, NY 10005

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
JOHN PITCHER and CAROLYN PITCHER,

Index No.

Date of Filing: August 5, 2022

Plaintiffs,

COMPLAINT

-against-

Plaintiffs demand a trial by jury.

UNION CARBIDE CORPORATION;
AIR & LIQUID SYSTEMS CORPORATION,
sued as successor-by-merger to BUFFALO
PUMPS, INC.;
ALFA LAVAL, INC., sued individually and as
successor-in-interest to THE DELAVAL
SEPARATOR COMPANY;
ARMSTRONG INTERNATIONAL, INC.;
BARRETT'S MINERALS INC.;
BEACON CMP CORPORATION;
BLOCK DRUG COMPANY, INC., sued
individually and as successor-in-interest to THE
GOLD BOND STERILIZING POWDER
COMPANY a/k/a THE GOLD BOND
COMPANY;
BRENNTAG NORTH AMERICA, INC., sued
individually and as successor-in-interest to
MINERAL PIGMENT SOLUTIONS, INC. and as
successor-in-interest to WHITTAKER CLARK &
DANIELS, INC.;
BRENNTAG SPECIALTIES LLC f/k/a
BRENNTAG SPECIALTIES, INC. f/k/a
MINERAL PIGMENT SOLUTIONS, INC., sued
individually and as successor-in-interest to
WHITTAKER CLARK & DANIELS, INC.;
COLGATE-PALMOLIVE COMPANY;
CRANE CO., successor-in-interest to CHAPMAN
VALVE COMPANY and THE SWARWOUT
COMPANY;
DCO LLC f/k/a DANA COMPANIES LLC, sued
individually and as successor-in-interest to
VICTOR GASKET MANUFACTURING
COMPANY;
DAP PRODUCTS, INC.;
EATON HYDRAULICS LLC f/k/a EATON
HYDRAULICS, INC., sued as successor to
VICKERS INC.;

EDELBROCK CORPORATION;
ELLIOTT COMPANY f/k/a and d/b/a ELLIOTT
TURBOMACHINERY COMPANY;
ESTEE LAUDER, INC., a subsidiary of THE
ESTEE LAUDER COMPANIES, INC.;
FLOWERVE US, INC., sued as successor to
EDWARD VALVE, INC.;
FMC CORPORATION, sued individually and as
 successor-in-interest to CHICAGO PUMP
COMPANY;
FORD MOTOR COMPANY;
FOSTER WHEELER ENERGY
CORPORATION;
GARDNER DENVER, INC.;
GENERAL ELECTRIC COMPANY;
GG OF FLORIDA, INC. f/k/a HIGBEE, INC.
 f/k/a HIGBEE GASKETS AND SEALING
PRODUCTS, INC.;
GOULDS PUMPS LLC f/k/a GOULDS PUMPS,
INCORPORATED;
HOLLEY PERFORMANCE PRODUCTS,
INC.;
HOLLINGSWORTH & VOSE COMPANY;
HONEYWELL INTERNATIONAL, INC. f/k/a
 ALLIED-SIGNAL, INC., sued as successor-in-
 interest to BENDIX CORPORATION;
IMO INDUSTRIES, INC., sued individually and
 as successor-in-interest to DELAVAL TURBINE,
INC.;
JOHN CRANE, INC.;
MW CUSTOM PAPERS, LLC as successor-in-
 interest to THE MEAD CORPORATION;
MORSE TEC LLC f/k/a BORGWARNER
 MORSE TEC LLC, sued as successor-by-merger to
 BORGE WARNER CORPORATION;
PARAMOUNT GLOBAL f/k/a VIACOMCBS
 INC. f/k/a CBS CORPORATION f/k/a VIACOM,
 INC. successor-by-merger to CBS
 CORPORATION f/k/a WESTINGHOUSE
ELECTRIC CORPORATION;
PFIZER INC.;
REDCO CORPORATION f/k/a CRANE CO.;
ROBERTSHAW CONTROLS COMPANY
 d/b/a FULTON SYLPHON VALVES;

R. T. VANDERBILT HOLDING COMPANY, INC., sued individually and as successor-in-interest to R. T. VANDERBILT COMPANY, INC.;
SPECIALTY MINERALS INC., sued individually and as a subsidiary of MINERALS TECHNOLOGIES INC.;
SUPERIOR-LIDGERWOOD-MUNDY CORPORATION, sued individually and as successor-in-interest to M.T. DAVIDSON COMPANY;
VELAN VALVE CORP. a/k/a VELAN VALVE CORPORATION;
VIAD CORP f/k/a VIAD CORPORATION f/k/a THE DIAL CORPORATION, sued individually and as successor-in-interest to GRISCOM-RUSSELL COMPANY;
WARREN PUMPS, LLC;
WEIR VALVES & CONTROLS USA, INC. f/k/a ATWOOD & MORRILL;
WHITTAKER CLARK & DANIELS, INC.;
ZURN INDUSTRIES, LLC, individually and as successor-in-interest to ZURN INDUSTRIES, INC. successor to ERIE CITY IRON WORKS d/b/a KEYSTONE BOILER WORKS, INC.,

Defendants.

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TO THE ABOVE-NAMED DEFENDANTS:

Plaintiffs JOHN PITCHER and CAROLYN PITCHER, by and through their attorneys, SIMON GREENSTONE PANATIER, PC, for their Complaint respectfully allege:

1. Plaintiffs repeat and reallege Simon Greenstone Panatier, PC's New York City Asbestos Litigation Standard Complaint No. 1 as if fully incorporated herein.¹
2. Plaintiffs JOHN PITCHER and CAROLYN PITCHER reside at 300 Burning Tree Drive, Georgetown, Texas 78628.

¹ A copy of Simon Greenstone Panatier, PC's New York City Asbestos Litigation Standard Asbestos Complaint for Personal Injury No. 1 is attached hereto as Exhibit "A."

3. Plaintiff JOHN PITCHER has been diagnosed with malignant mesothelioma as a result of his regular and repeated exposure to asbestos from the Defendants' asbestos-contaminated products, including in New York State. Plaintiff meets the minimum requirement for activation into the active docket pursuant to the Case Management Order governing these actions.

PARTIES

4. At all times relevant, Defendant **UNION CARBIDE CORPORATION** was a corporation organized under the laws of the State of New York with its principal place of business in Texas.

5. At all times relevant, Defendant **AIR & LIQUID SYSTEMS CORPORATION**, sued as successor-by-merger to BUFFALO PUMPS, INC., was a corporation organized under the laws of the State of Pennsylvania with its principal place of business in New York.

6. At all times relevant, Defendant **ALFA LAVAL, INC.**, sued individually and as successor-in-interest to THE DELAVAL SEPARATOR COMPANY, was a corporation organized under the laws of the State of New Jersey with its principal place of business in Virginia.

7. At all times relevant, Defendant **ARMSTRONG INTERNATIONAL, INC.** was a corporation organized under the laws of the State of Michigan with its principal place of business in Michigan.

8. At all times relevant, Defendant **BARRETT'S MINERALS INC.** was a corporation organized under the laws of the State of Delaware with its principal places of business in Montana and New York.

9. At all times relevant, Defendant **BEACON CMP CORPORATION** was a corporation organized under the laws of the State of New Jersey with its principal place of business in New Jersey.

10. At all times relevant, Defendant **BLOCK DRUG COMPANY, INC.**, sued individually and as successor-in-interest to THE GOLD BOND STERILIZING POWDER COMPANY a/k/a THE GOLD BOND COMPANY, was a corporation organized under the laws of the State of New Jersey with its principal place of business in New Jersey.

11. At all times relevant, Defendant **BRENNTAG NORTH AMERICA, INC.**, sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC., was a corporation organized under the laws of the State of Delaware with its principal place of business in Pennsylvania.

12. At all times relevant, Defendant **BRENNTAG SPECIALTIES LLC f/k/a BRENNTAG SPECIALTIES, INC. f/k/a MINERAL PIGMENT SOLUTIONS, INC.**, sued individually and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC., was a corporation organized under the laws of the State of Delaware with its principal place of business in New Jersey.

13. At all times relevant, Defendant **COLGATE-PALMOLIVE COMPANY** was a corporation organized under the laws of the State of Delaware with its principal place of business in New York.

14. At all times relevant, Defendant **CRANE CO.**, as successor-in-interest to CHAPMAN VALVE COMPANY and THE SWARWTOUT COMPANY, was a corporation organized under the laws of the State of Delaware with its principal place of business in Connecticut.

15. At all times relevant, Defendant **DCO LLC f/k/a DANA COMPANIES LLC**, sued individually and as successor-in-interest to VICTOR GASKET MANUFACTURING COMPANY, was a limited liability company organized under the laws of the State of Virginia

with its principal place of business in New Jersey. To the best of Plaintiffs' knowledge, the managing members of **DCO LLC f/k/a DANA COMPANIES LLC**, sued individually and as successor-in-interest to **VICTOR GASKET MANUFACTURING COMPANY**, are Vicki L. Stringham and Joseph A. Stancati who reside in Perrysburg, Ohio. Therefore Defendant **DCO LLC f/k/a DANA COMPANIES LLC**, sued individually and as successor-in-interest to **VICTOR GASKET MANUFACTURING COMPANY**, is a resident of the State of Ohio.

16. At all times relevant, Defendant **DAP PRODUCTS, INC.** was a corporation organized under the laws of the State of Delaware with its principal place of business in Maryland.

17. At all times relevant, Defendant **EATON HYDRAULICS LLC f/k/a EATON HYDRAULICS, INC.**, sued as successor to **VICKERS INC.**, was a limited liability company organized under the laws of the State of Delaware with its principal place of business in Ohio. To the best of Plaintiffs' knowledge, the managing member of Defendant **EATON HYDRAULICS LLC f/k/a EATON HYDRAULICS, INC.**, sued as successor to **VICKERS INC.**, is Eaton Corporation, an Ohio corporation with its principal place of business in Ohio. Therefore, Defendant **EATON HYDRAULICS LLC f/k/a EATON HYDRAULICS, INC.**, sued as successor to **VICKERS INC.**, is a resident of the State of Ohio.

18. At all times relevant, Defendant **EDELBROCK CORPORATION** was a corporation organized under the laws of the State of Delaware with its principal place of business in California.

19. At all times relevant, Defendant **ELLIOTT COMPANY f/k/a and d/b/a ELLIOTT TURBOMACHINERY COMPANY** was a corporation organized under the laws of the State of Delaware with its principal places of business in Pennsylvania and Texas.